

BRYAN CAVE LLP  
2 EMBARCADERO CENTER, SUITE 1410  
SAN FRANCISCO, CA 95111

James Goldberg, California Bar No. 107990  
Stephanie A. Blazewicz, California Bar No. 240359  
**BRYAN CAVE LLP**  
2 Embarcadero Center, Suite 1410  
San Francisco, CA 94111  
Telephone: (415) 675-3400  
Facsimile: (415) 675-3434  
Email: james.goldberg@bryancave.com

Robert E. Boone III, California Bar No. 132780  
Benjamin J.B. Allen, California Bar No. 261555  
**BRYAN CAVE LLP**  
120 Broadway, Suite 300  
Santa Monica, CA 90401-2386  
Telephone: (310) 576-2100  
Facsimile: (310) 576-2200  
Email: ben.allen@bryancave.com

Attorneys for Defendant  
DAVID SAMBOL

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

SALMA MERRITT AND DAVID MERRITT,

Plaintiffs,

vs.

COUNTRYWIDE FINANCIAL  
CORPORATION; COUNTRYWIDE HOME  
LOANS, INC.; ANGELO MOZILO; DAVID  
SAMBOL; MICHAEL COLYER; DOE 1;  
DOES 2-100, inclusive; BANK OF AMERICA;  
KEN LEWIS; WELLS FARGO; JOHN  
STUMPF; JOHNNY CHEN; JOHN BENSON,

Defendants.

Case No. C09 01179 JW

**DECLARATION OF JAMES GOLDBERG  
IN SUPPORT OF DEFENDANT DAVID  
SAMBOL'S MOTION TO SET ASIDE  
ENTRY OF DEFAULT AND OPPOSITION  
TO MOTION FOR ENTRY OF DEFAULT  
JUDGMENT**

[Filed Concurrently with Motion to Set Aside  
Entry of Default and Opposition to Motion for  
Entry of Default Judgment]

Date Action Filed: March 18, 2009  
Trial Date: Not Set

JUDGE: The Hon. James Ware

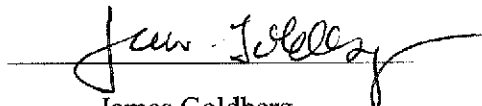
1 I, James Goldberg, declare as follows:

2 1. I am an attorney with the law firm of Bryan Cave LLP. I am the firm's lead attorney  
3 defending David Sambol in the matter of *Salma and David Merritt v. Countrywide Financial*  
4 *Corporation, et al.* (Case No. C09 01179 JW). I have first-hand knowledge of the following facts,  
5 and if called as a witness, I could and would testify competently thereto.

6 2. In September 2009, I called Plaintiff David Merritt by telephone, asking him to  
7 withdraw his Request for Entry of Default and Request for Entry of Default Judgment as to Mr.  
8 Sambol.

9 3. Mr. Merritt responded to my request by saying that "there's a huge conspiracy here"  
10 and refusing to agree to my requests.

11 4. Executed this <sup>9<sup>th</sup></sup> day of October, 2009 in San Francisco, California, under penalty of  
12 perjury of the laws of California.

13  
14  
15   
16 James Goldberg

BRYAN CAVE LLP  
2 EMBARCADERO CENTER, SUITE 1410  
SAN FRANCISCO, CA 95111

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28